

Appl. No. 10/017,468
Amdt. dated November 2, 2005
Reply to Office Action of May 18, 2005

PATENT

REMARKS/ARGUMENTS

Claims 1-19 are pending in this application. Claims 1-19 currently stand rejected under 35 U.S.C. § 102(e) as allegedly being unpatentable over Faris et al. (U.S. Patent No. 6,659,861 B1). Applicants respectfully traverse this rejection and respectfully request reconsideration.

Without acquiescing to the rejections, Applicants have amended claim 1. As amended, claim 1 recites in part "broadcasting a reality-based television program regarding a contest in which an agent can participate." (*Application*, page 3, lines 16-19). It is respectfully submitted that Faris does not anticipate amended claim 1 with this limitation.

Faris discloses a system and method of fairly implementing time-constrained Internet applications through the use of GPS (global positioning system) receivers that provide for accurate time synchronization of servers and machines. In particular, Faris addresses the problem of unfairness in competitive online contests and applications that is caused by variable delays in the transmission of data through the Internet. However, the invention in Faris is clearly directed at "Internet-supported applications and processes." (Col. 2, lines 29-45). Faris does not disclose "broadcasting a reality-based television program regarding a contest in which an agent can participate," as recited in amended claim 1.

Applicants have also amended claims 5 and 6. Claim 5 has been amended to recite in part "providing second information about a media event over a second type of media distribution mechanism." The rejection states that Faris discloses "another server 150" in Fig. 2A that teaches this limitation. (Office Action, page 3). Applicants infer from this statement that the Examiner has understood the above limitation to refer to an additional, second unit of the same type of media distribution mechanism as the first media distribution mechanism. Claim 5 has been accordingly amended to clarify that the above limitation refers to a second, completely different type of media distribution mechanism, and not merely a second media distribution mechanism. This is substantiated by claim 6, which has been amended to recite that "the first type of media distribution mechanism includes a television broadcast" and that "the second type of media distribution mechanism includes the Internet."

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Moreover, the rejection states that Faris discloses the limitation of "providing for identifying or capturing a runner," as recited in claim 5. Applicants respectfully disagree. One embodiment of the present invention involves a particular kind of reality show contest in which a runner avoids identification or capture by an agent. The rejection states that Faris teaches this element by disclosing "processing a contest between multiple contestants over the Internet." (Office Action, page 3). But the passages in Faris that the Examiner cites to support this view only describe the control and synchronization of time-based elements in an Internet-based system for the purpose of administering a "multi-player internetworked problem-solving contest" in a fundamentally fair manner. (Col 16, lines 28-32). There is no mention anywhere in Faris of "providing for identifying or capturing a runner," as recited in claim 5.

It is also respectfully submitted that Faris fails to anticipate independent claims 7 and 12. The passages in Faris that the Examiner cites with respect to claims 7 and 12 only disclose that the online participation of Internet-based contests can be converted to video content and broadcast to passively-viewing spectators. (Col. 42, line 55 to Col. 43 line 64). However, Faris does not teach or suggest the limitation of a reality show contest involving a runner who avoids capture by one or more agents, as described in one embodiment of the invention. Thus, Faris fails to disclose "a television... adapted to display images of the runner as the runner attempts to evade capture by one or more agents," as recited in claim 7. Likewise, there is no mention whatsoever in Faris of "a television program that comprises a contest wherein a runner attempts to evade capture by one or more agents," as recited in claim 12.

Additionally, it is respectfully submitted that the teachings of Faris do not render the claims of the present invention obvious. Faris does not even address the problem solved by the present invention, which incorporates the advantages of two different types of media for a reality show contest. That is, the combined acts of participating in a reality-based television contest and participating in corresponding Internet applications eliminate the problem of limited bandwidth while affording participants the unique user advantages of the Internet. Faris addresses instead the problem of unfairness caused by transmission delays of Internet applications and discloses various aspects of improving time-constrained online applications. There is no teaching or suggestion in Faris of reality show contests that enable participation

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through both television broadcasts and the Internet, and there is also no teaching or suggestion whatsoever of a reality show contest in which a runner avoids capture by an agent.

It is thus respectfully submitted that amended claims 1 and 5, as well as claims 7 and 12 are allowable, and it is respectfully requested that the rejections to these claims be withdrawn. It is also respectfully submitted that claims 2-4, 6, 8-11 and 13-19 depend on one of allowable claims 1, 5, 7 and 12, and therefore, they are allowable for at least the same reasons claims 1, 5, 7 and 12.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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